

July 1, 2022

Dear Council Member Kalb:

Thank you very much for the opportunity for Make Oakland Better Now! (MOBN!) to comment on your proposed Government Reform Charter Amendments which will be considered by the City Council on July 5, 2022.

As you may be aware we are supporters of the SPUR reform proposal which was published earlier this year. We recognize that much of your proposal is very similar to the SPUR proposal. However, there are several significant differences which concern us. More specifically following are our areas of concern:

1. Mayoral powers. We recommend that your proposal be amended to authorize the Mayor to veto ordinances subject to a council override by a 6-vote majority. Similarly, we recommend providing the Mayor with budget item veto powers subject to Council override by 6 votes. Both proposals would be modeled on the San Francisco Charter. Attached is draft language which would accomplish this. Our recommendations are based on our belief that the executive performance and management of Oakland City government would be significantly enhanced by such amendment of the Charter.
2. Termination of City Administrator. We believe the language contained in your proposal would significantly weaken the position of City Administrator and City Management. Legislatively terminating an Executive appointment deserves the highest threshold of formality and transparency. While some sort of impeachment process is appropriate, the proposed supermajority vote to terminate "for cause" fails to meet that standard
3. Formula for setting salaries. We believe the City Administrator should be included in these provisions. The additional job experience requirements for city auditor candidates (beyond holding a current, valid CPA) defeat the goals of increasing interest and expanding the talent pool and should be deleted.
4. Appointments. The provision's uneven treatment of Mayor and City Council undermines citizens' confidence in their government

by failing to treat the two government branches as equals. Failure to nominate/select/approve within the stipulated time limit should produce the same consequence/result whether the actor in question is the Mayor or City Council. The proposed charter amendment penalizes Mayoral inaction while preserving Council's prerogatives should they be tardy. The provisions should be rewritten to provide equal consequences/treatment.

MOBN! believes our proposed Recommendations #1 and #2 are essential to the enactment of this measure. If they are included, MOBN! will support the measure and urge its passage by the Council and electorate. If not included MOBN! will urge the council not to approve the measure and, if on the ballot, will oppose it.

We recognize that the Charter may need changes however we believe Charter amendment should be done in a manner which allows sufficient time for in depth consideration of needed changes.

Therefore, as an alternative compromise ,we suggest that your measure be amended to contain only the establishment of term limits and the creation of a broad based citizens commission to review the charter and recommend needed and desirable changes. We would support such a measure.

Our recommendations #3 and #4 are very desirable but not necessary. We stand ready to meet with you to discuss our recommendations at your convenience.

Make Oakland Better Now!

Cc: Mayor Libby Schaaf
Members of the City Council

